

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)	
)	Case No. 1:09-CR-181
v.)	
)	
WILLIAM LANDOLT)	COLLIER/CARTER

REPORT AND RECOMMENDATION

A September 14, 2010, letter from Tracy W. Johns, Warden of the Federal Bureau of Prisons, Federal Correctional Institution in Butner, North Carolina and a Forensic Evaluation of defendant William Landolt were received by the undersigned on September 16, 2010. It is the opinion of the evaluator that defendant does not suffer from a severe mental disease or defect and is able to understand the nature and consequences of the proceedings against him and to assist properly in his defense. It is also the opinion of the evaluator, that at the time of the offense, he was able to appreciate the nature and quality or wrongfulness of his actions.

A waiver of competency hearing was filed on October 7, 2010 (Doc. 811). The Court therefore RECOMMENDS on the basis of the waiver and the report that defendant William Landolt be found competent to stand trial.¹

/s/William B. Mitchell Carter
UNITED STATES MAGISTRATE JUDGE

¹Any objections to this Report and Recommendation must be served and filed within fourteen (14) days after service of a copy of this recommended disposition on the objecting party. Such objections must conform to the requirements of Rule 59(b)(2) of the Federal Rules of Criminal Procedure. Failure to file objections within the time specified waives the right to appeal the District Court's order. *Thomas v. Arn*, 474 U.S. 140, 88 L.Ed.2d 435, 106 S.Ct. 466 (1985). The district court need not provide *de novo* review where objections to this report and recommendation are frivolous, conclusive or general. *Mira v. Marshall*, 806 F.2d 636 (6th Cir. 1986). Only specific objections are reserved for appellate review. *Smith v. Detroit Federation of Teachers*, 829 F.2d 1370 (6th Cir. 1987).